

Jess B. Millikan, SBN 095540
Samuel H. Ruby, SBN 191091
Judith A. Whitehouse, SBN 198176
Bullivant Houser Bailey PC
601 California Street, Suite 1800
San Francisco, California 94108
Telephone: 415.352.2700
Facsimile: 415.352.2701
jess.millikan@bullivant.com
samuel.ruby@bullivant.com
judith.whitehouse@bullivant.com

Attorneys for Defendant
United States Fire Insurance Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

COPART INC.,

Plaintiff,

vs.

CRUM & FORSTER INDEMNITY
COMPANY¹, UNITED STATES FIRE
INSURANCE COMPANY, and DOES 1-10,

Defendants.

Case No.: C 07 2684 CW (EDL)

**DECLARATION OF SAMUEL H. RUBY
(VOLUME II—DEPOSITIONS)**

IN SUPPORT OF USFIC'S:

- (1) MOTION FOR SUMMARY
JUDGMENT ON PLAINTIFF'S
COMPLAINT; AND**
- (2) OPPOSITION TO PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT ON USFIC'S
COUNTERCLAIM**

Date: August 21, 2008

Time: 2:00 p.m.

Action File: March 20, 2007

Trial Date: November 10, 2008

AND RELATED COUNTERCLAIM

¹ Dismissed by Order Upon Stipulation (6/15/07)

1 I, Samuel H. Ruby, declare under penalty of perjury under the laws of the State of
2 California and of the United States that the following matters are true and correct, of my own
3 personal knowledge, and that if called as a witness I would testify:

4 1. I am an attorney with Bullivant Houser Bailey PC, attorneys of record for United
5 States Fire Insurance Company in this action. I have been the attorney principally responsible
6 for the handling of this matter.

7 2. I attended the depositions of Richard Kruse, Michael Carson, Simon Rote,
8 Patrice McIntyre, and Monica Streacker. I heard their testimony.

9 3. I received certified copies of their deposition transcripts, which accurately reflect
10 the testimony I heard. Attached hereto are true and correct excerpts of the transcripts.

11
12 Executed this 23rd day of July, 2008 in San Francisco, California.

13
14
15 By /s/ Samuel H. Ruby
16
17
18
19
20
21
22
23
24
25
26
27
28